TCEQ Interoffice Memorandum

To:

Commissioners

Zak Covar, Executive Director

From:

Elizabeth West, Senior Attorney

Contracts, Employment Law and Ethics

General Law Division

David Timberger, Director General Law Division

Caroline M. Sweeney, Deputy Director

Office of Legal Services

DATE:

September 17, 2013

Caption: Docket No. 2013-1657-MIS. Consideration of gifts and donations of

\$500.00 or more in value given to the TCEQ, submitted for approval in accordance with-Chapter 575 of the Government Code, concerning

acceptance of gifts and donations by certain agencies.

Chapter 575 of the Government Code gives some specific direction to state agencies regarding the acceptance of gifts and donations. Chapter 575 of the Government Code provides that the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500 or more in an open meeting no later than the 90th day after the date the gift is accepted. Chapter 575 of the Government Code further states the name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be recorded in the minutes. Chapter 575 of the Government Code is attached as Exhibit "A."

A list of gifts and donations is attached as Exhibit "B." A Declaration of Third Party Reimbursement form is submitted for each gift or donation listed in Exhibit "B." The Declaration of Third Party Reimbursement forms are attached as Exhibit "C." The Executive Director's approval memorandum is attached as Exhibit "D."

Attachments

Texas Commission On Environmental Quality AGENDA ITEM REQUEST

AGENDA REQUESTED: October 9, 2013
DATE OF REQUEST: September 5, 2013
NAME & NUMBER OF PERSON TO CONTACT REGARD

NAME & NUMBER OF PERSON TO CONTACT REGARDING CHANGES TO

THIS REQUEST, IF NEEDED: Sara Taubman at 239-3664

CAPTION: Docket No. 2013-1657-MIS: Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning acceptance of gifts by certain state agencies. [Elizabeth West]

Chief Clerk must send Notice of Application/Hearing:

Type of Matter:

County:

Uncontested:

Contested:

David Timberger, Director General Law Division

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



A RESOLUTION

Regarding acceptance of gifts and donations in accordance with Chapter 575 of the Government Code concerning acceptance of gifts and donations by certain state agencies; TCEO Docket No. 2013-1657-MIS

WHEREAS, Chapter 575 of the Government Code provides that a majority of the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500.00 or more in an open meeting no later than the 90th day after the date the gift is accepted.

WHEREAS, a list of gifts and donations submitted for acknowledgment is attached as Exhibit "A." The gifts have been accepted by the Executive Director. The list includes a description and amount of each gift or donation with a value of \$500.00 or more, the donor's name, and a statement regarding the purpose of each gift or donation in accordance with Section 575.004 of Chapter 575.

NOW, THEREFORE BE IT RESOLVED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the Commission acknowledges acceptance of the gifts and donations listed in Exhibit "A" in accordance with Chapter 575 of the Government Code.

Issued this the day of	, 2013
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY	
Bryan W. Shaw, Ph.D., Chairman	

Exhibit "A" **Chapter 575 of the Government Code**

Texas Commission on Environmental Quality

CHAPTER 575, ACCEPTANCE OF GIFT BY STATE AGENCY

§ 575.001. Definitions

In this chapter:

- (1) "Gift" means a donation of money or property.
- (2) "State agency" means a board, commission, council, committee, department, office, agency, or other governmental entity in the executive or judicial branch of state government. The term does not include an institution of higher education as defined by Section 61,003, Education Code.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

§ 575.002. Gifts of \$500 or More

This chapter applies only to a gift that has a value of \$500 or more.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

§ 575.003. Acceptance of Gift by State Agency Governing Board

A state agency that has a governing board may accept a gift only if the agency has the authority to accept the gift and a majority of the board, in an open meeting, acknowledges the acceptance of the gift not later than the 90th day after the date the gift is accepted.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 143, § 1, eff. Sept. 1, 1999.

§ 575.004. Record of Gift

A state agency that accepts a gift must record the name of the donor, a description of the gift, and a statement of the purpose of the gift in:

- (1) the minutes of the governing board of the agency; or
- (2) appropriate agency records, if the agency does not have a governing board.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

§ 575.005. Acceptance of Gift From Party to Contested Case Prohibited

A state agency may not accept a gift from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final under Section 2001.144. In this section. "contested case" has the meaning assigned by Section 2001.003.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

Exhibit "B"

List of Gifts and Donations

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION DECLARATION OF THIRD PARTY REIMBURSEMENT

June 2013 through Sept 2013

Over \$500

	EPA-FIFRA		The Conservation Fund		Association of State Drinking Water Administrators (ASDW)	REIMBURSING ORGANIZATION
	Grant, Roberta L.		Lee, Brittany M.		Diehl, Alicia	TRAVELERS NAME
	07/29-08/01/13		07/07-07/12/13		05/07-05/09/13	DATES OF TRAVEL
	Arlington, VA		Shepherdstown, WV		Des Moines, IA	DESTINATION
	Serve on Scientific Advisory Panel (FIFRA SAP) that will review scientific issues associated with Weight-of-Evidence: Evaluating Results of EDSP Tier I Screening		TC Mitigation and IRT Course.		Attend the EPA Region 6 Area Wide Optimization Program meeting co-sponsored by the EPA and the Association of State Drinking Water Administrators to gain insight and information related to optimizing the ability of the public water systems to protect public health and meet regulatory requirements of the State Drinking Water Act and its amendments.	PURPOSE OF TRIP
Airfare: Mileage: Parking: Lodging: Meals:	·	Meals: Lodging: other:		Mileage: Lodging:	- -	REIMBURSED
\$575.95 \$18.08 \$28.00 \$572.91 \$258.00 \$13.73	\$1,466.67	\$255.00 \$390.00 \$75.00	\$720.00	\$437.00 \$252.00	\$689.00	REIMBURSED TOTAL

	U.S. Nuclear Regulatory Commission (NRC)		US EPA		National Research Council Bredfeldt, Tiffany (NRC)
	Beleckis, Robert A.		Erraguntla, Neeraja		il Bredfeldt, Tiffany
	06/23-06/29/13		06/18-06/23/13		05/29-06/01/13
	Oak Ridge, TN		Washington, DC		Washington, DC
	To attend the NRC Fundamental Health Physics III Course (H-123) in Oak Ridge, Teamessee at the Oak Ridge Institute for Science and Education (ORISE) training center.		Participated in the USEPA's Environmental Justice Technical Guidance Panel As a Science Advisory Board Panel Member.		Attended a Workshop on Risks of Unconventional Shale Gas Development. This was a public meeting where Tiffany participated as a discussant of a manuscript investigation public health risks associated with emissions from the development of unconventional natural gas resources.
Airfare: Mileage: Parking: Baggage Fees: Lodging: Meais:		Airfare: Transportation: Baggage Fees: Lodging: Meals:		Airfare: Taxi: Parking: Baggage Fees: Lodging: Meals:	σ.
\$597.60 \$32.64 \$49.00 \$25.00 \$626.52 \$302.00		\$468.75 \$250.00 \$50.00 \$612.65 \$200.70		\$613.48 \$40.00 \$28.00 \$50.00 \$672.00 \$162.79	
	\$1,632.76		\$1,582.10		\$1,566.27

	Commission (NRC)	U.S. Nuclear Regulatory Gonzalez, Anthony
		06/17-06/21/13
		Arlington, TX
Region IV Office.	at the Nuclear Regulatory Commission's	Travel to attend Root Workshop Training Held

\$1,214.19

Meals:	Lodging:	Mileage:	
\$308.00	\$693.75	\$212.44	

Totals:

\$8,870.99

\$8,870.99

Exhibit "C" **Declaration of Third Party Reimbursement Forms for Supporting Documentation**

Texas Commission on Environmental Quality

nzipeniyezeppini

Employee Name:

Reimbursing Organization:

Travel Dates:

Destination

Alicia Diehi

May 7-9, 2013

Des Molnes, Iowa

DECLARATION OF THIRD-PARTY REIMBURSEMENT

After the trip is taken, it is the employee's responsibility to file for reimbursement from the Third Party (Reimbursing).
Organization). All reimbursed expenses must be declared, including those paid directly by the reimbursing organization.
ESTIMATES ARE NOT ACCEPTABLE. This form is to be completed and forwarded to the Travel United Mos 18.1 within 2 days.
following the end-of travel or reimbursement from the reimbursing organization.

Association of State Drinking Water Administrators

Purpose of the Trip:		STANIA STANIA
Attend the EPA Region 6 Area Wide Optimiza	nt and information related to	ponsored by the EPA and the Association of State o optimizing the ability of public water systems to king Water Act and its amendments.
EXpenses Paid by Reimbursing Organization	Expense Amount	A. Comments and
Alrfare		
Rental Car		
Cab, Bus, Train		
Mileage	\$437.00	
Gas		
Parking		
Baggage Fees		
Ladging	\$252,00	
Meals		
Event Registration		,
Other (Describe)		
Other (Describe)		
Other (Describe)		
Total Relmbursement:	\$689.00	•
ASC or Travel Coordinator:	Elizabeth Nichois	Phone: 512/239-2529
Employee Signature:	4200	Date Signed:
Supervisor Signature:	<u> </u>	Date Signed: 7/10/13
The employee and supervisor signatures certify form is the total amount received from the telm accepted by the Executive Director and ackid Chapter A75.	bursing organization. Reimbui	strie and correct and that the amount shown on the sements that exceed, \$500 must be formally avery 90 days pursuant to law Good Code

After the trip is taken, it is the employee's responsibility to file for reimbursement from the reimbursing organization. Upon receipt of payment from the Third Party, this form is to be completed and forwarded to the Travel Unit, MC-181 or fax to 239-6768.

- 1. Employee's Name: Brittany M. Lee
- 2. Dates of Travel: 7/7/2012
- 3. Destination: Shepherdstown, West Virginia
- 4. Purpose: TCF Mitigation and IRT Course
- 5. Reimbursing Organization: The Conservation Fund
- 6. Itemized Expenses:

Description	Total	Additional Comments
Fares:		
Public Transportation	e heady (See	Make the State of
Rental Car	200 to the bound bid-sole delevation of the second	week- a wanne hield "Felicity
Air		alled as dead (1971). As years
Meals	\$255.QQ	TCF paid for all states' lodging and
Lodging	\$390.00	meals for this trip.
Parking	skereli debekelerde ego paperen egelemphelm (PA)	
Other:	<u>\$75.00</u>	taxes
Business Telephone Calls	Marketon and a construction of the state of) participation of the control of th
Personal Vehicle Mileage	,	· .
Seminar Registration/Fees	- 	app and assume any application from the contract of the contra
Misc. (Describe under comments)	**************************************	•
Grand Total	<u>\$720.00</u>	

Approval Signatures:

Employee Signature/Date

Supervisor Signature/Date

The imployee/supervisor signatures certify that the information provided is true and correct and the amount shown on the form is the/(total) amount received from the reimbursing source.

After the trip is taken, it is the employee's responsibility to file for rembursement noing the Third Party, (Reimbursing Organization) #Allivein burseclexpenses must be declared in cluding those palactirectly by the reimbursing organization, as ESTIMATES ARE NOT ACCEPTABLE. This form is to be completed and forwarded to the Travel United Mana 181 within 2 days following the and of travel or reimbursement from the reimbursing organization.

Employee Name:	Roberta L. Gran	nt	1
Travel Dates:	7-29-13 to 8-1-	13	
Destination	Arlington, VA		land)
Reimbursing Organization:	EPA - FIFRA		Lander Lander C 23
Purpose of the Trip:			
Serve on Scientific Advisory P. Evaluating Results of EDSP Tie	anel (FIFRA SAP) r 1 Screening) that will review scientific	Issues associated with Weight-of-Widence:
Expenses Paic by Rembursing	(O)(Gamization	– Expense Amounts 🐱	Conntents (1)
Airfare		\$575.95	prepaid by EPA
Rental Car			prepaid by EPA
Cab, Bus, Train			
Mileage		\$18.08	
Gas	***************************************		
Parking		\$28.00	
Baggage Fees			,
Lodging		\$572,91	H
Meals		\$258.00	
Event Registration	***		
Other (Describe)		\$13.73	WII-fi connection In room
Other (Describe)			
Other (Describe)		,	
Total Reim	bursement:	\$1,466.67	
ASC or Travel Coordinator:	SBEA a	dm. assistant	Phone: 1139
Employee Signature:	Kale	to That	Date Signed: 8-5-13
Supervisor Signature:	Ulu	M	Date Signed: $5-5-13$
A STATE OF THE STA	ATA-FA		

a. The amployed place by the properties of the p

After the crip is taken, it is the employage responsibility to file for remoursement from the Third Party (Reinjoursing).
Organization): All reimbursed excenses must be declared, including those policitive clip by the reimburs not realizable.)
ESTIMATES ARE NOT ACCEPTABLE. The formists be completed and forwarded to the Travel Unit at MC-181 within 7 days
following the god of twivelor reimbursement from the telmbursing organization.

Employee Name:	Tiffany Bredfeldt	
Travel Dates:	05/29/2013-06/01/2013	
Destination	Washington DC	
Reimbursing Organization:	National Research Council (NRC)	

Purpose of the Trip:

Attended a Workshop on Risks of Unconventional Shale Gas Development. This was a public meeting where Tiffany participated as a discussant of a manuscript investigating public health risks associated with emissions from the development of unconventional natural gas resources.

nien vor Baldstyf Reimburgung Droenikation - 🚉	Expense Amount 🐗 🕏	Comments was a second
Airfare	\$613.48	paid by NRC, booked by their travel agent
Rental Car		NA
Cab, Bus, Train	\$40.00	cab
Mileage		NA
Gas		NA NA
Parking	\$28,00	parking at airport
Baggage Fees	\$50.00	25,00 each way
Ladging	\$672.00	paid by NRC, federal per diem
Meals	\$162.79	cost Includes meals provided on site by NRC
Event Registration		NA .
Other (Describe)	MAIN SOLVENIE	
Other (Describe)		
Other (Describe)		
Total Reimbursement:	\$1,566.27	

ASC or Travel Coordinator:	Mary Ann Lasper, NRC	Phone:	210-354-1016
Employee Signature:	Allow Bredelet	Date Signed:	091613
Employee Signature.			0 11 150
Supervisor Signature:	Keleta Inot	Date Signed:	7-16-13

The employed and substitutes tensing the this the infulnation of such a mile implicions, and the amount of award for the formally a formally a substitute that exceed \$500 must be formally a accorded by the Exocutive theory and acknowledged by the Commission avery \$0 days pursuant to first Goylescope are accorded by the Exocutive theory and acknowledged by the Commission avery \$0 days pursuant to first Goylescope.

After the trip is taken, it is the employee's reasonability to the force in pursement from the finire Party (nambursing was a Organization). All relimbursed expenses hit subscious calained including those paid clinetry by the reinibursing organization. ESTIMATES ARE NOT ACCEPTABLE: "In is form; is to be completed and forwarded to the travel unit at MC-181 within Aday tollowing the end of travel or reimbursement from the reimbursing organization." Employee Name: NEGRAJA K. GRRAGUNTHA June 18 to June 23, 2013 **Travel Dates:** Destination WASHINGTON IDC Reimbursing Organization: US EPA Purpose of the Trip: Participated in the USEPA'S Envisionmental Justice Technical Guidance Panel as a Science Advisory Board Panel member Expenses Paid by Reimbursing Organization ** Expense Amount Airfare 468.75 Rental Car Cab, Bus, Train 250,00 Mileage Gas Parking Baggage Fees 50.00 \$612.65 Lodging Meals 200.70 **Event Registration** Other (Describe) Other (Describe) Other (Describe) Total Reimbursement: \$1582.10 512-239-3100 **ASC** or Travel Coordinator: Phone: Date Signed: Employee Signature:

The employeemed supervisors gradures coulty traighte information provided is received correct and traight a mount shown on the left of the lower of the left of th

Supervisor Signature:

After the tipe is taken, it is the employed stespons billty to file for religious engit from the third entry (Reimbursing Creating transport from the third entry (Reimbursing organization).

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Employee Name:	Robert A. Beled	tkis		(CC)
Travel Dates:	June 23-29, 20	13		Land of
Destination	Oak Ridge, TN			
Reimbursing Organization:	U.S. Nuclear Re	gulatory Commission (NRC)		ام مراد المرادية
Purpose of the Trip:		······································		
To attend the NRC Fundamen	ntal Health Phys	lcs III Course (H-123) In Oak I	Ridge Tennessee a th	
Science and Education (ORISE			1990, 12111122222 a 111	ئين _
			and the state of t	Section (
				speed to
r Expenses Paid by Reimborsin	j virjanizations	and Exprense Amount (20)	a de la companya de	omments
Airfare		\$597.60	Paid directly	to American Airlines,
Rental Car				, , , , , , , , , , , , , , , , , , , ,
Cab, Bus, Train			-	
Mileage	· · · · · · · · · · · · · · · · · · ·	\$32.64		- Popher but
Gas			, , , , , , , , , , , , , , , , , , ,	******
Parking		\$49.00	,	
Baggage Fees		\$25,00		
Lodging		\$626,52		
Meals	, , , , , , , , , , , , , , , , , , ,	\$302.00		
Event Registration		***************************************		
Other (Describe)			1 Physical desirable and the second	
Other (Describe)	ment for			<u> </u>
Other (Describe)			and a second and a second and a second as a second	
Total Rein	nbursement:	\$1,632.76		
 				•
ASC or Travel Coordinator:	\$ 4 mail: 10	Rose Ernst	Phone:	512-239-6481
Employee Signature:	Spel	elij	Date Signed:	7/24/2013
Supervisor Signature:	Bary I.	Smith	Date Signed:	7/24/13
- The grant cive as a custom results of s				

the employee and a pervisor alphabore certify that the firom attempt violation and core in a charle dame absarwr and the complex that oxceed \$500 must be formally with the complex that oxceed \$500 must be formally with the complex that oxceed \$500 must be formally with the complex that oxceed \$500 must be formally with the complex that oxceed \$500 must be formally with the complex that oxceed \$500 must be formally the complex that oxceed \$500 must be formally that oxceed \$500 m

Afrigithe title is takenal, is the employees responsibility to file to reimbursement from the Third Party (Pelmbursing).
Crosmization): All reimbursed expenses musc be declated alphiding those paid directly by the reimbursing organization.
ESTIMATES ARE NOT ACCEPTABLE: This form become completed and forwarded to the Travel United (ICC) 181 within 7 days and forward and formation.

Employee Name:	Antonio Gonzale	Z					
Travel Dates:	June 17-21, 2013		\ \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\				
Destination	Arlington, Texas						
Reimbursing Organization:	Nuclear Regulate	ory Commission					
Purpose of the Trip:				- 7-00-00-00-00-00-00-00-00-00-00-00-00-00			
Travel to attend Root Worksho	pp Training Held	at the Nuclear Regulatory	Commission's F	Region IV O	ffice.		
Lapare Selana by ReimBursin	Kirdanianion.	Expanso Amount		esies Com	tenta e ya e la visita di		
Airfare					offen Galen		
Rental Car					Control Contro		
Cab, Bus, Train	'				1-1H		
Mileage		\$212.44		- برورية	egertej Pa		
Gas	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		. •		<u> </u>		
Parking							
Baggage Fees			·				
Lodging		\$693.75			,		
Meals		\$308.00	·····				
Event Registration			· · · · · · · · · · · · · · · · · · ·				
Other (Describe)							
Other (Describe)							
Other (Describe)							
Total Rein	nbursement:	\$1,214.19					
ASC or Travel Coordinator:	Rose Ernst		Phone	:	239-6481		
	Al-				3/2/2		
Employee Signature:			Date S	igned:	3(29/2013		
Supervisor Signature: Dary J. Amerk			······································	Date Signod: 913/13			
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TL-2L-2L ((T))	
Exhibit "D"	
Executive Director's Approval Memorandum	-
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TCEQ Interoffice Memorandum

To:

Zak Covar

Executive Director

From:

Elizabeth West, Senior Attorney

Contracts, Employment Law and Ethics

General Law Division

David Timberger, Director

General Law Division

Caroline M. Sweeney, Deputy Director

Office of Legal Services

Date:

September 16, 2013

Caption: Docket No. 2013-1657-MIS: Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning

acceptance of gifts and donations by certain agencies.

Chapter 575 of the Government Code gives some specific direction to state agencies regarding the acceptance of gifts and donations. Chapter 575 provides that the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500 or more in an open meeting no later than the 90th day after the date the gift is accepted. Chapter 575 further states the name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be recorded in the minutes. Chapter 575 of the Government Code is attached as Exhibit "A."

Before the Commission can acknowledge the acceptance of gifts and donations with a value of \$500 or more listed in Exhibit "B," the gifts must be accepted by the agency.

A list of gifts and donations is attached as Exhibit "B." A Declaration of Third Party Reimbursement form is submitted for each gift or donation listed in Exhibit "B." The Declaration of Third Party Reimbursement forms are attached as Exhibit "C." Your signature below is needed to accept the aforementioned and referenced exhibits. We recommend you sign this form and accept the gifts.

I acknowledge and accept the gifts listed in Exhibit "B," on behalf of the Texas Commission on Environmental Quality.

Covar

Executive Director